

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA

v.

FORTY-THREE FIREARMS SEIZED ON OR
ABOUT MAY 24, 2022 DURING A DRUG
TRAFFICKING INVESTIGATION

Civil No. 3:23-cv-00738

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

NOW COMES the United States of America, Plaintiff herein, by and through Dena J. King, United States Attorney for the Western District of North Carolina, in a civil cause of forfeiture, and respectfully states the following:

NATURE OF ACTION

1. This is a civil action *in rem* against forty-three firearms (“Firearms”) seized on or about May 24, 2022, during the investigation of a drug trafficking organization (“DTO”) in Mecklenburg County, North Carolina, and the surrounding area. Numerous members of the DTO ultimately pled guilty to federal charges based on their roles in the DTO. The Firearms facilitated the DTO.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355.

3. This Court has in rem jurisdiction over the Firearms, and venue is proper pursuant to 28 U.S.C. § 1355(b)(1) because acts or omissions giving rise to the forfeiture occurred in the Western District of North Carolina.

4. Venue is proper pursuant to 28 U.S.C. § 1395 because the Firearms were seized in

the Western District of North Carolina and/or the prosecution accrued in this district.

5. The Firearms are now within the Western District of North Carolina.

6. Based on the following facts, verified by the U.S. Drug Enforcement Administration (“DEA”) Special Agent (“SA”) Christopher Morgan, this action seeks the forfeiture of all right, title, and interest in the Firearms.

BASIS FOR FORFEITURE

7. The Firearms are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(11) as they constitute firearms used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

FACTS GIVING RISE TO FORFEITURE

8. In or about February 2020, DEA agents began investigating a large-scale cocaine, heroin, and fentanyl DTO operating in Charlotte, North Carolina, and the surrounding area.

9. As set forth in more detail in a Second Superseding Indictment (WDNC Case 3:22CR112; Doc. 131), the DTO operated from at least August 2017 through May 2022 and involved, among other offenses, at least fifteen conspirators distributing cocaine and fentanyl via several locations in the Western District of North Carolina. The criminal case resulted in numerous pleas of guilt and forfeiture of numerous items, but the Firearms identified herein were inadvertently left out of forfeiture orders in the criminal case. Accordingly, this Complaint identifies the Firearms for forfeiture based on the background as follows.

10. On May 24, 2022, in connection with the investigation and prosecution of members of the DTO, DEA agents and local law enforcement conducted a major takedown operation which resulted in the execution of several federal search warrants obtained pursuant to the investigation of the DTO.

11. During the execution of the search warrants at numerous locations, law enforcement seized large quantities of narcotics, including approximately 58 kilograms of cocaine, and 4 kilograms of fentanyl, the subject Firearms, high-capacity magazines, a ballistic vest, more than \$1.3 million in cash, and over \$300,00 in jewelry were also seized during the takedown.

12. The premises that law enforcement searched included residences that members of the DTO were using as drug and cash stash houses. Specifically, law enforcement executed search warrants at the following residences and seized the Firearms at these residences where the following DTO members operated the DTO, resided, and/or were found:

- **The search of 8501 University Station Circle, Apartment # 1421, Charlotte, NC:** DTO member and felon Adrian Christopher Solares, who ultimately pled guilty to conspiracy to distribute narcotics, used 8501 University Station Circle, apartment #1421 as a stash house. When law enforcement searched this residence, they found approximately 1.5 pounds of marijuana, fifteen (15) cellular telephones, a cut out in the sheet rock behind the bathroom mirror used to conceal narcotics and currency, and multiple firearms. They also found the following Firearms identified for forfeiture herein: one Pistol (Black), serial number unknown; one AR-15, serial number M2212705; one Nodak Spud UC Rifle, serial number SA2000M; one Glock 23, serial number BPAF504; one Glock 17, serial number BRMM492; and ammunition;
- **The search of 3104 Ryan Jay Drive, Charlotte, NC:** DTO member Adrian Christopher Solares, who ultimately pled guilty to conspiracy to distribute narcotics, resided at 3104 Ryan Jay Drive. When law enforcement searched this residence, they found the following Firearms identified for forfeiture herein: one S & W Revolver, serial number CXB0662; one Polymer 80 handgun, serial number BHKG226; one S & W Handgun, serial number LFH9464; one Taurus .357, serial number 5130151; one Sig Sauer P320, serial number 58A186453; one Glock 21, serial number VZ138US; one Benelli 12 gauge, serial number U624506Q19; one S & W M & P15 Rifle, serial number TV22608; one S & W, M&P15 Rifle, serial number LAL8360; one Century Arms Micro Draco 7.62x39mm, serial number PMD1827920R0A; and ammunition;
- **The search of 4146 Planters Watch Drive, Charlotte, NC:** DTO member Luis Raymundo Macias-Robles, who ultimately pled guilty to conspiracy to distribute and possession with intent to distribute cocaine and fentanyl and received a leadership role enhancement at sentencing, resided at the 4146 Planters Watch Drive residence. When law enforcement executed the search warrant, in a Mercedes vehicle on the property they found the following Firearm identified for forfeiture

herein: one FN 509 9mm, serial number GK50093482; and ammunition;

- **The search of 1413 Lomax Avenue, Charlotte, NC:** DTO leader Salvador Barrera, Jr., who ultimately pled guilty to possession with intent to distribute cocaine, resided at the 1413 Lomax Avenue residence. When law enforcement searched this residence, they found over \$11,000 in currency and ten (10) cellular telephones. They also found the following Firearms identified for forfeiture herein: one Palmetto Arms PA15, serial number SCD705529; one Brigade Arms 9mm, serial number 22354F; one Adams Arms AR15 Lower, serial number AATM016271; one Del-ton AR15 Lower, serial number DTIS162015; one Kimber 1911, serial number K158073; one Glock 43X, serial number BLDC349; and ammunition;
- **The search of 6520 Lake Drive, Charlotte, NC:** DTO second-in-command Ricardo Jonathan Gomez, who ultimately pled guilty to possession with intent to distribute cocaine, resided at the 6520 Lake Drive residence. When law enforcement searched this residence, they found approximately one kilogram of cocaine and over \$40,000 in currency. They also found the following Firearms identified for forfeiture herein: one Taurus .45, serial number NCT38274; one Llama .32, serial number 623209; one Ruger 10-22 Rifle, serial number 23477611; one RAAC MKA 1919 12-gauge, serial number 1308570; and ammunition;
- **The search of 3601 Stonehaven Drive, Charlotte, NC:** DTO member and felon Eric Perales, who ultimately pled guilty to conspiracy to distribute and possession with intent to distribute cocaine and marijuana, resided at 3601 Stonehaven Drive. When law enforcement searched the residence, they found approximately one kilogram of cocaine, a kilogram of marijuana, eight (8) cell phones, and approximately \$20,000 in currency. They also found the following Firearms identified for forfeiture herein: one Sig Sauer P 238 handgun, serial number 278142922; one Ruger 57, serial number 64206106; and ammunition;
- **The search of 3229 Kayla Lane, Charlotte, NC:** DTO second-in-command Ricardo Jonathan Gomez, who ultimately pled guilty to possession with intent to distribute cocaine, used the 6520 Lake Drive residence as a stash house. When law enforcement searched this residence, they found approximately six (6) ounces of marijuana and twelve (12) cell phones. They also found the following Firearms identified for forfeiture herein: one Glock 19, serial number BUBM423; one Citadel 1911, serial number CIT012451; one Beretta PX4 9mm, serial number PX4706V; and ammunition;
- **The search of 219 Austin Street, Albemarle, NC:** DTO member Johnny Lane Owens, Sr., who ultimately pled guilty to conspiracy to distribute and possession with intent to distribute cocaine and fentanyl, resided at the 219 Austin Street residence. When law enforcement searched this residence, they found approximately thirty-eight (38) kilograms of cocaine, four (4) kilograms of fentanyl, five (5) cell phones, and approximately \$622,000 in currency. They also

found the following Firearms identified for forfeiture herein: one Colt Combat Commander, serial number 70SC24617; one APINTL-PAHRUMP NV M1911, serial number RIA1779612; one Regent 1911-A1, serial number 09Y00321; one SCCY CPX-1 9mm, serial number 46108; one Glock 43x, serial number AGE218; one Taurus .38, serial number MT85534; one Sig Sauer P-365, serial number 66A002771; one Keltec SUB2000, serial number FF3K33; one AERO Precision AP15, serial number US27666; one Anderson Manufacturing AM15, serial number 19279018; one Colt Sporter .223 Rifle, serial number 23397; and ammunition;

- **The search of 6726 Silver Valley Drive, Charlotte, NC:** DTO member Jesus Adrian Perales, who ultimately pled guilty to conspiracy to distribute and possession with intent to distribute cocaine, resided at the 6726 Silver Valley Drive residence. When law enforcement searched this residence, they found approximately six (6) ounces of cocaine. They also found the following Firearm identified for forfeiture herein: one S & W EZ Shield, serial number NFJ7039; and ammunition.

13. As noted above, following multiple prior indictments, on June 21, 2022, a Western District of North Carolina Grand Jury sitting in Charlotte returned a Second Superseding Indictment, charging fifteen members of the DTO with federal drug trafficking charges. *See* W.D.N.C. No. 3:22-cr-00112, Doc. 131.

14. The members of the DTO identified above pled guilty to conspiracy to distribute and possess with intent to distribute cocaine and fentanyl, possession with intent to distribute fentanyl, and/or possession with intent to distribute cocaine and marijuana. *See* W.D.N.C. No. 3:22-cr-00112; W.D.N.C. No. 3:22-cr-00236; W.D.N.C. No. 3:22-cr-00237.

15. In their plea agreements, members of the DTO agreed to the following:

To forfeit, via an administrative or judicial proceeding, all assets listed in the charging document and, if applicable, Bill of Particulars, **or seized during this investigation or a related investigation;** to withdraw any claims and petitions for such assets; to entry of a money judgment in the amount specified in the charging document or Bill of Particulars; to Magistrate Judge conducting forfeiture proceeding; to waive any rights to notice of forfeiture and to pronouncement of forfeiture at sentencing; **and to abandonment of the defendant's interest, if any, in any seized assets not forfeited.**

**FIRST CLAIM FOR RELIEF – THE FIREARMS
(21 U.S.C § 881(a)(11))**

16. The United States incorporates by reference the allegations set forth in the paragraphs above as if fully set forth herein.

17. The Firearms are subject to forfeiture as they constitute firearms used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances, and therefore are subject to forfeiture pursuant to 21 U.S.C. § 881 (a)(11).

CONCLUSION AND PRAYER FOR RELIEF

18. By virtue of the foregoing, all right, title, and interest in the Firearms vested in the United States at the time of the commissions of the unlawful act giving rise to forfeiture, 21 U.S.C. § 881(h), and has become and is forfeitable to the United States.

WHEREFORE, the United States of America respectfully prays the Court that:

1. A warrant for the arrest of the Firearms be issued;
2. Due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
3. Judgment be entered declaring the Firearms to be condemned and forfeited to the United States of America for disposition according to law; and
4. The United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action, including but not limited to the expenses of maintenance and protection of the Firearms as required by 28 U.S.C. § 1921.

Respectfully submitted this 6th day of November, 2023.

DENA J. KING
UNITED STATES ATTORNEY

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VERIFICATION

I declare under penalty of perjury that the factual information contained in the foregoing Complaint is true and correct according to the best of my knowledge, information, and belief.

Executed on the 6th day of November, 2023.

**CHRISTOPHER
MORGAN**

Digitally signed by CHRISTOPHER
MORGAN
Date: 2023.11.06 13:09:38 -05'00'

Special Agent Christopher Morgan
Drug Enforcement Administration